

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GEORGE CLARK and JUDITH ANN  
CLARK,

**Plaintiffs,**

V.

## BHP COPPER, INC., et al.,

### Defendants.

NO. C10-1058 TEH

**ORDER SETTING BRIEFING  
AND HEARING SCHEDULE ON  
MOTION TO REMAND**

The Court construes the March 15, 2010 letter brief filed by Plaintiffs George Clark and Judith Ann Clark as a motion to remand and a request to shorten time. A jury trial is underway in this case in state court, but the court has stayed proceedings until July 7, 2010, so that Plaintiffs' remand motion can be resolved. It appears that the motion does not have merit, and this Court also does not wish to unduly delay proceedings in state court. The case is ultimately remanded. Accordingly, IT IS HEREBY ORDERED that:

- 18           1. Plaintiffs' motion to remand shall be heard on shortened time.

19           2. Defendant Honeywell International Inc., the sole removing defendant, shall file an

20 opposition or statement of non-opposition to the motion on or before **March 22, 2010**.

21           3. Plaintiffs shall file a reply on or before **March 25, 2010**.

22           4. The matter shall be heard on **April 5, 2010, at 10:00 AM**.

## 24 || IT IS SO ORDERED.

26 | Dated: 03/15/10

Helen Anderson